



Joe@pitcofflawgroup.com

250 Park Avenue, 7th Floor
New York, NY 10177

www.pitcofflawgroup.com

D: (917) 993-1859

O: (646) 386-0990

November 26, 2024

VIA ELECTRONIC FILING

The Honorable Michael A. Hammer
United States Magistrate Judge
for the District of New Jersey
Martin Luther King Building
50 Walnut Street
Newark, New Jersey

**RE: Arbour v. Tingo Group, Inc., et al.
 Case No. 2:23-cv-03151-ES-MAH**

Dear Judge Hammer:

As Your Honor would recall, this office represents Darren Mercer in this action as well as three recently consolidated “derivative cases” pending before Your Honor that are related to the subject of this suit: *RAGO v. MERCER*, et al., Case No. 2:23-cv-20749-ES-MAH, *CHENG v. TENGO*, Case No. 2:24-cv-06567-ES-MAH, and *FORD v. MERCER*, et al., Case No. 2:24-cv-4894-ES-MAH (collectively the “Consolidated Action”). We submit this letter motion to request an extension of Defendant Mercer’s response deadline from December 4, 2024, to February 7, 2025, as good cause exists for this request. The Lead Plaintiff has indicated it takes no position with respect to this request.

On October 15, 2024, I filed a letter motion seeking a thirty-day extension in this action, which referenced aligning our time to respond in this action with the Consolidated Action (ECF Doc.#74). That letter motion indicated our intent to request an additional extension to align with responses in the Consolidated Action once the consolidated (operative) complaint was filed. On October 17, 2024, Your Honor granted an order extending the response deadline to the Complaint

in this action until December 4, 2024, and scheduling a conference for January 16, 2025 (ECF #75).

The Plaintiffs in the Consolidated Action have proposed a two-week extension for filing their consolidated operative complaint, with the new deadline set for December 9, 2024. This deadline falls after Defendant Mercer's response time in this action. Consequently, Defendants' deadline to answer, serve any motion papers, or otherwise respond to the Consolidated Complaint, assuming the extension is granted, would be February 7, 2025.

At this time, although the Consolidated Complaint has not been filed, we respectfully request this additional extension to ensure the timing of our response aligns with the Consolidated Action, given the anticipated substantial overlap in issues in the two cases.

This extension will not meaningfully delay proceedings and will enhance judicial efficiency.

We expect to discuss any additional scheduling and case management issues that may arise during the conference scheduled for January 16th.

Thank you for your time and attention to this matter. We appreciate Your Honor's consideration of our request.

Respectfully submitted,

PITCOFF LAW GROUP, P.C.

/s/ Joe DiPisa

Joseph A. DiPisa, Esq.

cc: All Counsel of Record (by ECF)
All Counsel of Record in the Consolidated Action (via e-mail)